

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: LIBOR-BASED FINANCIAL  
INSTRUMENTS ANTITRUST LITIGATION

Civ. No. 11-md-2262 (NRB)

THIS DOCUMENT RELATES TO:

33-35 GREEN POND ROAD ASSOC., LLC, or  
behalf of itself and all others similarly situated,

Civ. No. 12-cv-5822 (NRB)

Plaintiff,

v.

BANK OF AMERICA CORPORATION, *et al.*,  
Defendants.

COURTYARD AT AMWELL II, LLC, et al., on  
behalf of themselves and all others similarly  
situated,

Civ. No. 12-cv-6693 (NRB)

Plaintiffs,

v.

BANK OF AMERICA CORPORATION, *et al.*,  
Defendants.

NON-DEFENDANT OTC PLAINTIFFS' MOTION FOR FINAL APPROVAL  
OF SETTLEMENTS WITH BARCLAYS PLC, BARCLAYS BANK PLC,  
BARCLAYS CAPITAL INC., HSBC BANK PLC, JPMORGAN CHASE & CO.,  
JPMORGAN CHASE BANK, N.A., BANK OF AMERICA  
CORPORATION, BANK OF AMERICA, N.A., AND CITIBANK, N.A.

**TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD:**

**PLEASE TAKE NOTICE** that, on October 5, 2020, at 11:00 a.m., at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York 10007, in Courtroom 21A,<sup>1</sup> the Non-Defendant OTC Plaintiffs will, and hereby do, move the Court, for an Order: (i) granting final approval of Non-Defendant OTC Plaintiffs' settlements with Barclays PLC, Barclays Bank PLC, Barclays Capital Inc., HSBC Bank plc, JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Bank of America Corporation, Bank of America, N.A., and Citibank, N.A.; (ii) certifying the Settlement Classes; (iii) appointing Lite DePalma Greenberg, LLC and Hagens Berman Sobol Shapiro LLP as Class Counsel for the Settlement Classes, (iv) finding that notice provided to members of the Settlement Classes satisfied Federal Rules of Civil Procedure 23(c)(2)(B) and 23(e)(1), due process, and any other applicable law; and (v) approving the Plan of Allocation.

Submitted herewith in support is the Memorandum in Support of Non-Defendant OTC Plaintiffs' Motion for Final Approval of Settlements with Barclays plc, Barclays Bank plc, Barclays Capital Inc., HSBC Bank plc, JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., Bank of America Corporation, Bank of America, Bank of America, N.A., and Citibank, N.A. and the July 20, 2020 Joint Declaration of Jason A. Zweig and Steven J. Greenfogel.

**LITE DEPALMA GREENBERG LLC**

Dated: July 20, 2020

/s/ Joseph J. DePalma  
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<sup>1</sup> Pursuant to paragraph 2 of the April 30, 2020 preliminary approval order (ECF No. 3079), if the hearing date, time or format of the hearing needs to be changed for any reason, a notice will be placed in the docket.

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LLC, and Lawrence W. Gardner and the Non-Defendant  
OTC Class*